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Report of the Secretary-General

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I. INTRODUCTION

1. The General Assembly, in its resolution 43/90 of 9 December 1988, entitled "Fortieth Anniversary of the Universal Declaration of Human Rights", reaffirmed, on the occasion of the fortieth anniversary, the significance of the Universal Declaration of Human Rights as a source of inspiration for national and international efforts for the protection and promotion of human rights and fundamental freedoms and took note with satisfaction of the progress made so far in the field of human rights, including standard-setting and codification since the proclamation of the Declaration. The Assembly also reaffirmed its commitment to further progress in this respect. It expressed grave concern, too, at mass and flagrant violations of human rights and affirmed the responsibility of the United Nations in protecting and promoting human rights and fundamental freedoms, as well as its determination to deal, through appropriate United Nations bodies, with violations of those rights and freedoms.

2. The General Assembly invited the Commission on Human Rights to consider a programme of action in the field of human rights, including:

(a) Measures to promote the universal ratification of or accession to United Nations instruments in the field of human rights and to strengthen United Nations machinery for the promotion and protection of human rights and fundamental freedoms enshrined in the Declaration;

(b) Activities to develop human rights institutions and infrastructures drawing upon the assistance of the United Nations Programme for Advisory Services in the Field of Human Rights, including the Voluntary Fund for Technical Cooperation, and drawing also upon the relevant capabilities of the specialized agencies in this field, and other available multilateral and bilateral assistance; and

(c) Activities in the area of public information and measures to enhance national and existing regional institutions for the promotion of human rights, through appropriate educational, judicial, legal and other channels, including direct contact among them.

3. In the same resolution, the General Assembly requested the Secretary-General to submit to it at its forty-eighth session a report on the activities undertaken in pursuance of that resolution. The present report is submitted in accordance with that request. Since the universal ratification of or accession to United Nations instruments in the field of human rights is promoted mainly through activities implemented under the public information and technical assistance programmes of the United Nations, the information requested thereon by General Assembly resolution 43/90 is to be found in chapters III and IV of the report.

II. STRENGTHENING OF THE UNITED NATIONS MACHINERY FOR THE PROMOTION AND PROTECTION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS

4. Since the adoption of General Assembly resolution 43/90 of 9 December 1988, new mechanisms for the promotion and protection of human rights have been established within the United Nations. While some of them have been entrusted to existing United Nations bodies whose mandates have been consequently enlarged, others have necessitated the creation of new bodies. Measures have also been taken to improve the effectiveness of existing mechanisms. Finally, new instruments covering various human rights aspects have been adopted and others are in the process of being drafted. All these developments have contributed to the strengthening of the United Nations machinery for the promotion and protection of human rights and fundamental freedoms.

A. New mechanisms

1. Treaty bodies

5. Since 1988, two new bodies have been established on the basis of two international human rights treaties to ensure better protection of the rights already recognized by the Universal Declaration: the Committee against Torture and the Committee on the Rights of the Child. Both Committees have the mandate to monitor the observance and implementation by the States Parties of the rights guaranteed in those treaties.

6. The Committee against Torture was established pursuant to article 17 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, which was adopted on 10 December 1984 by the General Assembly of the United Nations and which entered into force on 26 June 1987. The Committee began to function on 1 January 1988. It consists of 10 experts of high moral standing and recognized competence in the field of human rights.

7. The Committee is entrusted with the specific supervision of a multilateral instrument for protection against torture and other inhuman treatment, as defined in article 1 of the Convention. The Committee examines periodic reports submitted by States Parties on the measures taken to give effect to their obligations under the Convention. With respect to those States that have recognized its competence in this regard, the Committee may also receive and consider inter-State and individual complaints. Another competence that can be exercised by the Committee, if the State Party concerned has recognized it, is the investigation of situations in which torture is allegedly being systematically practised in the territory of the State or States Parties.

8. The Committee, which holds two regular sessions each year, met for the first time in Geneva in April 1988.

9. By the end of September 1993, there were 77 States Parties to the Convention, 35 of which had accepted the competence of the Committee to consider matters relating to inter-State disputes; 34 had accepted its competence to consider communications from or on behalf of individuals. Seven States Parties

have declared that they did not recognize the competence of the Committee to undertake confidential inquiries or fact-finding missions on their territories.

10. The Committee on the Rights of the Child was established in 1991, pursuant to article 43 of the Convention on the Rights of the Child, which was adopted on 20 November 1989 by the General Assembly and which entered into force on 2 September 1990. It consists of 10 experts of high moral standing and recognized competence in the field covered by the Convention. The Committee carries out functions relating to the implementation of the Convention. It examines reports submitted to it by States Parties on the measures they have adopted to give effect to the rights recognized in the Convention and on the progress made on the enjoyment of those rights. The Committee, which meets twice each year, held its first session at the United Nations Office at Geneva from 30 September to 18 October 1991. At the time this report was prepared, there were 145 States Parties to this Convention.

2. Special procedures

11. At its forty-seventh session, the Commission on Human Rights adopted resolution 1991/42, entitled "Question of arbitrary detention", by which it decided to create, for a three-year period, a Working Group composed of five independent experts, with the tasks of:

(a) Investigating cases of detention imposed arbitrarily or otherwise inconsistently with the relevant international standards set forth in the Universal Declaration of Human Rights or in the relevant international legal instruments accepted by the States concerned;

(b) Seeking and receiving information from Governments and intergovernmental and non-governmental organizations, and receiving information from the individuals concerned, their families or their representatives;

(c) Reporting to the Commission about its findings and activities.

The Economic and Social Council, by its decision 1991/243 of 31 May 1991, approved the Commission's decision contained in its resolution 1991/42. The Working Group held its first session in Geneva from 16 to 20 September 1991. On that occasion, it adopted its methods of work, including the principles applicable in the consideration of cases submitted to it and a model questionnaire to be completed by persons alleging arbitrary detention.

12. The Working Group receives communications from concerned individuals or their families or representatives, as well as from Governments and intergovernmental and non-governmental organizations. It can decide to transmit these communications to Governments, which are asked to reply by the deadline set by the Working Group and to provide further information on the case. The Working Group can also resort to the procedure known as "urgent action", which applies:

(a) In cases in which there are sufficiently reliable allegations that a person is being detained arbitrarily and that the continuation of the detention constitutes a serious danger to that person's health or life;

(b) In other cases, where the detention may not constitute a danger to a person's health or life, but where the particular circumstances of the situation warrant urgent action. In such cases, the communications can also be transmitted to Governments between the Working Group's sessions.

13. In the light of the information received on a case, the Working Group can take one of the following decisions:

(a) If the persons has been released, the case is filed;

(b) If the Working Group determines that it is established that the case is not one of arbitrary detention, the case is also filed;

(c) If the Working Group decides that it does not have enough information to take a decision, the case remains pending for further investigation;

(d) If the Working Group decides that the arbitrary nature of the detention is established, it shall make recommendations to the Government concerned.

14. Since the beginning of its activities, the Working Group, which meets three times a year, has sent 100 communications to 57 Governments; 44 replies were received. The Working Group also transmitted 25 cases by means of the urgent action procedure to 20 Governments. At the time this report was prepared, the Working Group was awaiting replies to 18 communications, for which the 90-day time-limit had not yet expired.

15. Since 1988, a number of new Special Rapporteurs, both subject- and country-oriented, were appointed by the Commission on Human Rights.

Thematic rapporteurs

16. All the thematic rapporteurs specified below submit to the Commission an annual report that covers their activities and findings and includes conclusions and recommendations on how to promote and protect better the specific human rights covered by their respective mandates.

17. In 1990, the Commission on Human Rights, by its resolution 1990/68, decided to appoint a Special Rapporteur to consider matters relating to the sale of children, child prostitution and child pornography, including the problem of the adoption of children for commercial purposes.

18. In 1993, the Commission appointed two additional Special Rapporteurs. By its resolution 1993/45, a Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression was appointed for a period of three years. The task of the Special Rapporteur is to gather all relevant information, wherever they may occur, of cases of discrimination against persons seeking to exercise or to promote the exercise of the right to freedom of opinion and expression as affirmed in the Universal Declaration of Human Rights and, where applicable, the International Covenant on Civil and Political Rights. Such cases entail, inter alia, threats or use of violence and harassment, including persecution and intimidation. As a matter of high priority, the

Special Rapporteur is mandated to concentrate on professionals in the field of information.

19. By its resolution 1993/20, the Commission appointed, for a term of three years, a Special Rapporteur on contemporary forms of racism, racial discrimination and xenophobia and related intolerance. The Rapporteur will report thereon to the Commission annually, starting in 1994.

20. Functions similar to those of the Special Rapporteurs mentioned above were given, in 1992, to a representative of the Secretary-General. By its resolution 1992/73, the Commission requested the Secretary-General to designate a representative to seek views and information from all Governments on the human rights issues related to internally displaced persons, including an examination of existing international human rights, humanitarian and refugee law standards and their applicability to the protection of internally displaced persons and relief assistance to them. The mandate of the representative of the Secretary-General was renewed in 1993, at the request of the Commission, for a period of two years, to allow him to continue his work and to identify ways and means of improving protection for internally displaced persons and assistance to them. The representative of the Secretary-General is requested to submit annual reports on his activities to the Commission and to the General Assembly.

Country-oriented rapporteurs

21. New Special Rapporteurs charged with monitoring the human rights situation of specific countries were also appointed during the period covered by the present report. The country-oriented rapporteurs specified below report to both the Commission on Human Rights and to the General Assembly.

22. In 1989, the Commission, by its resolution 1989/75, decided to appoint a Special Rapporteur to examine the human rights situation in Romania and report thereon. The mandate of the Special Rapporteur was extended until the forty-eighth session of the Commission in 1992.

23. In 1991, the Commission, by its resolution 1991/68, requested the Secretary-General to appoint a Special Representative to maintain direct contact with the Government and citizens of Cuba on the human rights issues raised by a 1988 mission of the Commission. At its following session, the Commission decided to designate the Special Representative of the Secretary-General as its Special Rapporteur to review and report on the situation of human rights in Cuba.

24. Also in 1991, the Commission decided, by its resolution 1991/74, to appoint a Special Rapporteur to make a thorough study of the violations of human rights by the Government of Iraq and report thereon to the General Assembly and the Commission. Since the beginning of his mandate, the Special Rapporteur has presented two reports to the Commission and two to the General Assembly. He also addressed the Security Council on the situation of human rights in the southern marshes of Iraq in August 1992. In resolution 1993/74 of 10 March 1993, the Commission welcomed the proposal of the Special Rapporteur to deploy a team of human rights monitors to Iraq and asked the Secretary-General to provide funds for this purpose.

(a) Assistance to ECOWAS

67. Unlike the case in Central Africa, a clear allotment of responsibilities among the West African IGOs within the multisectoral project concept had not been established. However, in the design and the implementation of the ECOWAS project, full account was taken of the interests and involvement of the two sub-groupings, namely, CEAO and the Mano River Union.

68. In terms of major activities, the project is helping to design viable development programmes in the key sectors of agriculture, industry and transport and communications, among which are the following:

(a) A food security programme embracing vital elements such as pricing policies, storage facilities, livestock development, and water resources utilization and management;

(b) A master plan for the rehabilitation of existing industrial plants as well as the creation of new ones on the basis of their proven viability;

(c) A multi-modal transport programme aimed at improving interconnections between land-locked countries and the coastal fringes and thus help alleviate the peculiar transport and transshipment problems of the countries in the hinterland;

(d) A programme for the interconnection of electric grids as well as the development of hydroelectric power.

69. In addition to the above, studies are being carried out on monetary cooperation among countries of the subregion and on a trade liberalization scheme.

70. When fully completed, the results of the project are intended to be used by the policy organs of ECOWAS as important inputs in the design, formulation and implementation of common development policies and strategies in the priority sectors as well as in investment decisions.

(b) Assistance to ECCAS

71. This project was similar to the ECOWAS project, taking into account the peculiar interests and concerns of the subregion including the issue of coordination and harmonization of activities of IGOs in the subregion.

72. In terms of major result, an industrial master plan for the entire subregion has been finalized. Activities under way include the design of a food security programme and a trade liberalization scheme. The project's end results will also be utilized by the policy makers of ECCAS as in the case of the ECOWAS project.

(c) Assistance to UDEAC

73. In accordance with the understanding reached among UDEAC, CEPGL and ECCAS, this project was designed in harmony with activities being implemented by the

latter two groupings, particularly ECCAS, to avoid contradictory objectives and minimize unnecessary duplication of activities.

74. In the field of industry, prefeasibility and feasibility studies are under way for the creation of community enterprises with target markets embracing only the UDEAC countries or extended to include Zaire. The agricultural component is an integral part of the ECCAS food security programme.

75. As regards the transport sector, the project has conducted a study on the development of coastal shipping in the light of the fact that coastal shipping is of interest only to UDEAC and Zaire.

76. In summary, the three multisectoral projects will contribute to the economic integration objectives of the three beneficiary organizations through the resulting coherent programmes with desirable intersectoral linkages. Nevertheless, follow-up actions aimed at concretizing the implementation of those programmes on the ground, will be necessary with continued UNDP funding during the Fifth Programming Cycle (1992-1996).

3. UNDP Fifth Programming Cycle

77. Economic integration projects of the dimension being implemented have a long gestation in terms of the full realization of the desired impact on the subregional and regional integration process of the African continent. It is not, therefore, expected that they will produce spontaneous effects within a period of four to five years. For this reason, ECA will continue to assist ECCAS, ECOWAS and UDEAC in all aspects related to the formulation of programmes and projects for the UNDP Fifth Cycle, and indeed in the eventual implementation of those activities when UNDP funding is secured.

78. Finally, ECA intends to undertake operational activities related to the recently promulgated treaty establishing the African Economic Community after full ratification by the African countries. Such activities may call for opening new vistas of interregional cooperation between Africa and other developing regions.

E. Economic and Social Commission for Western Asia

79. The ESCWA region is gradually recovering from the devastating effects of the Gulf War and its aftermath. Overall regional economic performance improved significantly in 1992. This is reflected in higher aggregate output and per capita income levels; marked improvement in the internal and external balance situation; and reduced inflationary pressures. Reconstruction and implementation of structural adjustment policies were the main themes of development in many countries of Western Asia during the past year. Below are some of the main activities undertaken by ESCWA in its endeavour to promote regional cooperation in Western Asia during the reporting period.

80. Under the development planning programme, several studies and reports, addressing differing aspects of regional cooperation and integration, were undertaken with emphasis on the state of the regional economy in the wake of the

35. By its resolution 44/128 of 15 December 1989, the General Assembly adopted the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty. States Parties to the Covenant that ratify the Second Optional Protocol accept responsibility for not applying capital punishment within their jurisdiction and taking all measures to abolish it. This results in an extension of the competence of the Human Rights Committee in three regards. First, the States Parties to the Second Optional Protocol undertake to include in the reports they submit to the Human Rights Committee, in accordance with article 40 of the Covenant, information on the measures that they have adopted to give effect to the Protocol. Further, the competence of the Human Rights Committee to receive and consider inter-State communications, for those States Parties that have accepted it, and individual communications, with respect to those States that have ratified the Optional Protocol to the Covenant, is extended to the provisions of the Second Optional Protocol. However, States Parties can make a statement declaring that they do not accept such competence at the moment of their ratification or accession.

36. A prompt intervention procedure to protect persons cooperating with United Nations bodies has been adopted by the Working Group on Enforced or Involuntary Disappearances.

37. At its forty-sixth session, the Commission on Human Rights adopted resolution 1990/76, entitled "Cooperation with representatives of United Nations human rights bodies". In this resolution, the Commission recalled that private individuals and groups should feel free to avail themselves, without fear of intimidation or reprisal, of the various procedures established by the Commission on Human Rights, the Subcommission on Prevention of Discrimination and Protection of Minorities or by various human rights instruments for drawing attention to alleged violations of human rights. It expressed concern about cases reported to United Nations organs by private individuals and groups who, before or after cooperating with representatives of United Nations human rights bodies or treaty bodies, have been subjected to harassment, ill-treatment and detention or imprisonment or other forms of hardship, as well as about reports from relatives or those dear to such individuals who have themselves been subjected to similar treatment. It also expressed concern about reports indicating that relatives of disappeared persons, when seeking to clarify the fate or whereabouts of the victims through the appropriate channels, have frequently been subjected to reprisals, as have the organizations to which they belong.

38. By the same resolution, the Commission called upon all Governments receiving representatives of United Nations human rights bodies to provide effective advance information to them, to allow unhampered contacts between private individuals and such representatives and to remove all legal and practical obstacles that would unduly prevent or discourage such contacts from taking place. It condemned all acts of intimidation or reprisal, in whatever form, against private individuals and groups who seek to cooperate with the United Nations and representatives of its human rights bodies, or who have sought to avail themselves of procedures established under United Nations auspices for the protection of human rights and fundamental freedoms. It further requested the representatives of United Nations human rights bodies reporting on violations of human rights to the Commission or the Subcommission,

in the exercise of their respective mandates, to take urgent steps, in conformity with their mandates, to help prevent the occurrence of intimidation or reprisals and to devote special attention to this question in their respective reports to the Commission or the Subcommission. The Commission also requested the Secretary-General to submit to the Commission at its forty-seventh session any available information, from all appropriate sources, on reprisals against witnesses or victims of human rights violations.

39. Special procedures and mechanisms of the Commission to which its resolution 1990/75 is addressed have generally dealt with cases of alleged intimidation or reprisals under their established methods of work, including the urgent action procedure applied by the Working Group on Enforced or Involuntary Disappearances and Special Rapporteurs on summary or arbitrary executions and torture. The Working Group on Enforced or Involuntary Disappearances has adapted its regular urgent action procedure for such cases by formulating a specific provision in its methods of work enabling it to intervene promptly whenever seized of incidents of that nature. The Group stated in paragraph 26 of its latest report: 1/

> "In compliance with the request the Commission on Human Rights made in its resolution 1990/76, the Working Group, at its thirtieth session, decided to transmit to Governments concerned, by means of a cable from the Chairman to the respective Ministers of Foreign Affairs, any reports of intimidation, persecution or reprisals affecting such private individuals or groups mentioned in the resolution as requiring prompt intervention, with the appeal that Governments take immediate steps to protect all fundamental rights of the person affected. The Working Group authorized its Chairman to decide, between sessions, which of the cases received contained the elements required by the text of the resolution. The Group considered that cases affecting relatives of missing persons, witnesses to disappearances and their families, members of relatives' organizations as well as other non-governmental organizations and its members persecuted or threatened as a reprisal for their activities on behalf of victims of disappearances or for their efforts to eliminate such practice, should be given priority attention by the Working Group, in accordance with the terms of resolution 1990/76."

C. Improvement of existing mechanisms

40. Several measures/initiatives have been undertaken by the Commission on Human Rights and its Subcommission during the period covered by this report to improve the effectiveness of existing mechanisms for the promotion and protection of human rights. The World Conference on Human Rights also recommended continued work on the improvement of the functioning of the treaty bodies, including their monitoring tasks, taking into account the multiple proposals made in this respect, in particular those made by the treaty bodies themselves and by the meetings of the chairpersons of the treaty bodies.

1. Protection of United Nations staff members and independent experts

41. By its resolution 1988/9, the Subcommission appointed a Special Rapporteur to carry out a study on the protection of the human rights of United Nations staff members, experts and their families and report thereon. The Special Rapporteur presented her final report to the Subcommission at its forty-fourth session. This included a detailed set of recommendations for measures on how to improve, on a long-term basis, the protection of personnel of the United Nations system and their families, as well as experts and consultants. By its resolution 1993/39, the Commission requested the Secretary-General to take steps aimed at ensuring without delay the application of all recommendations contained in that report.

42. At its forty-seventh session, the Commission on Human Rights adopted resolution 1991/33 entitled "Status of special rapporteurs and representatives, independent experts, members of the Subcommission on Prevention of Discrimination and Protection of Minorities and members of working groups established by the Commission on Human Rights". The Commission stressed the need for experts on mission for the United Nations, in order to exercise their functions in a fully independent manner, to enjoy the necessary privileges and immunities contained in the 1946 Convention on the Privileges and Immunities of the United Nations. It then requested the Secretary-General to take all necessary measures to ensure that all special rapporteurs and representatives, independent experts, members of the Subcommission on Prevention of Discrimination and Protection of Minorities and members of working groups established by the Commission on Human Rights be considered "experts on mission" in the context of this Convention.

43. It also requested him to take the necessary measures to ensure the prescribed protection of officials of the United Nations Secretariat accompanying special rapporteurs and representatives, independent experts, members of the Subcommission and working groups established by the Commission on field missions. At the Commission's forty-eighth session in 1992 the Secretary-General presented his report on the measures taken to implement this resolution. 2/ The Commission subsequently adopted resolution 1993/39, mentioned in paragraph 40 above, requesting the existing human rights mechanisms, including the Working Group on Enforced and Involuntary Disappearances, the Special Rapporteur on the question of torture and the Special Rapporteur on extrajudicial, summary or arbitrary executions, to examine, as appropriate, the cases involving the human rights of staff members of the United Nations system and their families, as well as experts, special rapporteurs and consultants, and to transmit the relevant parts of their reports to the Secretary-General for inclusion in his report to the Commission.

2. Treaty bodies

44. By its resolution 1989/47, entitled "Effective functioning of bodies established pursuant to United Nations human rights instruments", the Commission had requested the Secretary-General to entrust an independent expert with the task of preparing a study on possible long-term approaches to enhancing the effective operation of existing and future bodies established under United

Nations human rights instruments. The study was presented to the General Assembly at its forty-fourth session and to the Commission at its forty-sixth. By its resolution 1993/16, the Commission requested that this report be updated for submission to the Commission at its fiftieth session.

45. In its resolution 1989/46, the Commission requested the Secretary-General to consider appointing a task force composed of experts to prepare a study on computerizing the work of the treaty monitoring bodies in relation to reporting, with a view to increasing efficiency and facilitating compliance by States Parties with their reporting obligations and the examination of reports by the treaty bodies. The Task Force on Computerization was appointed by the Secretary-General in 1989 and presented its report 3/ to the Commission at its forty-sixth session. The recommendations contained in the report were endorsed by the General Assembly in resolution 45/85 of 14 December 1990. On different occasions, in 1991, 1992 and 1993, the Commission has urged the Secretary-General to expedite the implementation of the recommendations of the Task Force as soon as possible by requesting Member States, in particular States that are Parties to various human rights instruments, to make generous voluntary contributions to cover the initial one-time cost of the proposed system. 4/

46. Since 1988 four meetings of the persons chairing the human rights treaty bodies have been held. These meetings issued recommendations aimed at streamlining, rationalizing and otherwise improving reporting procedures that were endorsed by the Commission. In 1992, by its resolution 1992/15, the Commission endorsed the recommendation of the third meeting of persons chairing the human rights treaty bodies to institutionalize their meetings and requested the General Assembly to take appropriate action to enable these meetings to be held on a biennial basis.

3. Meetings of Special Rapporteurs and Working Groups

47. At its forty-ninth session, the Commission on Human Rights adopted resolution 1993/47 entitled "Human rights and thematic procedures", in which it requested the Secretary-General to consider the possibility of convening a meeting of all the thematic special rapporteurs and the Chairmen of working groups of the Commission in order to enable an exchange of views and closer cooperation and to issue their conclusions and recommendations annually.

48. On the occasion of the World Conference on Human Rights, the special rapporteurs, representatives, experts and members or chairmen of working groups of the Commission on Human Rights met from 14 to 16 June 1993 and adopted a Joint Declaration. 5/ The Declaration was presented by Mr. B. W. Ndiaye, Special Rapporteur on extrajudicial, summary or arbitrary executions, to the World Conference at its 10th plenary meeting on 17 June 1993. The recommendations made include the following:

(a) Procedures and mechanisms should be established for reasonable periods of time, not suffer delays in their approval by competent bodies, include field missions as a natural component and, as necessary, obtain the support of field monitors. In all cases, missions should be appropriately followed up.

(b) Special rapporteurs, representatives, experts and members and chairmen of working groups should be enabled to harmonize their work through periodic meetings, joint examination of thematic reports and, as appropriate, joint missions.

(c) The work of the special procedures should benefit from access to information available at United Nations offices throughout the world and their reports should be taken into account by United Nations bodies, including, as appropriate, the Security Council. Similarly, reports should be widely publicized and disseminated.

(d) To achieve the above and support the effective work of the procedures and mechanisms, human and material resources must be raised to a level commensurate with the responsibilities carried by each procedure. Sufficiently flexible administrative procedures must also be devised so as to allow for maximum efficiency, especially in urgent situations.

4. Strengthening of the Centre for Human Rights

49. Since 1989, the Commission on Human Rights has had on its agenda the question of the strengthening of the Centre for Human Rights as a coordinating unit in the system of United Nations bodies dealing with the promotion and protection of human rights.

50. At its forty-seventh session, the Commission adopted resolution 1991/23, in which it reiterated its concern that programme and resource proposals for long-term solutions responding to the needs of the Centre and commensurate with its workload should be included in the outline of the programme budget for the biennium 1992-1993. It further requested the Secretary-General to submit a report on developments relating to the Centre to the General Assembly at its forty-sixth session. In the report submitted in response to this request, the Secretary-General stressed the dramatic increase that had taken place in all areas of the Centre's activities. At the subsequent request of the General Assembly, the Secretary-General presented a further interim report to the Commission on Human Rights at its forty-eighth session and a final report to the General Assembly at its forty-seventh session. Based on the Secretary-General's proposals, the General Assembly approved an 8.7 per cent increase in the regular budget of the Centre for the biennium 1992-1993.

51. Noting that the Centre for Human Rights had been requested by the Commission and the Economic and Social Council to carry out additional mandates after the preparation of the budget for the biennium 1992-1993, the Commission emphasized in its resolution 1992/53 that adequate staffing and resources should be allocated to the Centre so as to enable it to respond to its increasing workload and to cover its needs in order to carry out all the functions assigned to it, including all the mandates and the preparations for the World Conference on Human Rights. It also requested the Secretary-General, when preparing the budget outline for the biennium 1994-1995, to ensure that adequate resources were projected for human rights, in particular for the Centre. This request was reiterated in resolution 1993/52.

52. Most recently, in the 1993 Vienna Declaration and Plan of Action, the World Conference on Human Rights requested the Secretary-General and the General Assembly to take immediate steps to increase substantially the resources for the human rights programme from within the existing and future regular budgets of the United Nations, and to take urgent steps to seek increased extrabudgetary resources.

D. Mechanisms under consideration by the Commission on Human Rights

53. At its forty-eighth session, the Commission on Human Rights, in its resolution 1992/55, took note of a proposal for the establishment of an emergency mechanism that would allow the Commission to react without delay, and in an appropriate manner, to acute situations arising from gross violations of human rights. Consideration of the proposed mechanism was resumed at its forty-ninth session, and then further postponed.

E. New instruments and studies

54. Standard-setting in the field of human rights has continued in the period covered by this report.

55. On 20 November 1989, the General Assembly adopted the Convention on the Rights of the Child, the result of a decade of work of an open-ended working group of the Commission on Human Rights. While bringing together the rights of the child recognized in many international treaties and declarations adopted within the United Nations system, the Convention adds a number of areas to existing legal international standards and practices. It encompasses the whole range of human rights - civil, political, economic, social and cultural - and states that the child is entitled to enjoy these rights without discrimination of any kind. As indicated in paragraph 10 above, the Convention provides for the establishment of a Committee responsible for monitoring the progress made by the States Parties in the implementation of the provisions of this instrument.

56. As indicated in paragraph 35 above, another new instrument is the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty, which was adopted and proclaimed by General Assembly resolution 44/128 of 15 December 1989. The text of a draft Protocol had been elaborated, at the request of the General Assembly in its resolution 37/92 of 18 December 1982, within the Commission on Human Rights and its Subcommission on Prevention of Discrimination and Protection of Minorities.

57. By its resolution 45/158 of 18 December 1990, the General Assembly also adopted the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, which has not yet entered into force. While confirming that migrant workers and members of their families, as defined in the text, are entitled to all fundamental civil, political, economic, social and cultural rights, the Convention further sets out a series of rights of specific concern for these persons. These include the right not to be subject to measures of collective expulsion; to have recourse to the protection and assistance of the consular or diplomatic authorities of their State of

origin; and to enjoy treatment not less favourable than that which applies to nationals of the State in which they are employed in respect of remuneration and social security. The Convention also provides for the establishment of a Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families with the task of reviewing the application of the Convention through the examination of periodic reports submitted by States Parties. States Parties can also accept the competence of the Committee to receive and consider inter-State complaints and individual communications.

58. The Declaration on the Protection of All Persons from Enforced Disappearances was adopted by the General Assembly in its resolution 47/133 of 18 December 1992. The text was first elaborated by the Working Group on Detention of the Subcommission on Prevention of Discrimination and Protection of Minorities and then considered by an open-ended inter-sessional working group of the Commission on Human Rights. By its resolution 1992/29, the Commission approved the text of the draft Declaration and transmitted it to the General Assembly, through the Economic and Social Council. The Declaration defines any act of enforced disappearance as an offence to human dignity and condemns it as a grave and flagrant violation of the human rights and fundamental freedoms proclaimed in the Universal Declaration of Human Rights. It declares that each State shall take effective legislative, administrative, judicial or other measures to prevent and terminate acts of enforced disappearance in any territory under its jurisdiction and sets other standards aiming at avoiding the perpetration of acts of enforced disappearance in all circumstances and declaring the international responsibility of States that organize, acquiesce in or tolerate such acts.

59. The Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities was adopted by the General Assembly in its resolution 47/135 of 18 December 1992. The draft text, elaborated by an informal open-ended working group created in 1978 by the Commission with the specific task of elaborating the Declaration, was approved by the Commission in its resolution 1992/16, transmitted to the Economic and Social Council and subsequently recommended to the General Assembly for adoption. Inspired by the provisions of article 27 of the International Covenant on Civil and Political Rights, the Declaration sets out a series of rights recognized as belonging to persons who are members of minorities: the rights to enjoy their own culture, to profess and practise their own religion, to use their mother tongue, to participate effectively in cultural, religious, social, economic and public life, to participate in national or regional decisions concerning the minority to which they belong, the right to association and the right to establish contacts with other members of their group or with persons belonging to other minorities, as well as contacts across frontiers with citizens of other States to whom they are related by national or ethnic, religious or linguistic ties. The Declaration also contains provisions concerning the responsibility of States to protect the existence and the national or ethnic, cultural, religious and linguistic identity of minorities within their territories and to adopt appropriate legislative and other measures to achieve those ends.

Instruments being drafted

60. The following instruments are still in the process of being drafted by several working groups established for this purpose by the Commission on Human Rights and by the Subcommission:

(a) The draft declaration on the right and responsibility of individuals, groups and organs of society to promote and protect universally recognized human rights and fundamental freedoms;

(b) The draft optional protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;

The Working Group established by the Commission in 1992 is using as a basis a draft presented by the Government of Costa Rica that proposes a mechanism that aims at establishing a preventive system of regular visits to places of detention;

(c) The draft declaration on indigenous rights.

The Subcommission on Prevention of Discrimination and Protection of Minorities, in its resolution 1985/22 of 29 August 1985, endorsed the decision of the Working Group on Indigenous Populations to emphasize standard-setting activities, with the aim of producing a draft declaration on indigenous rights that might be proclaimed by the General Assembly. Revised working papers of the text of the draft declaration have been prepared by the Chairperson-Rapporteur of the Working Group.

61. A document that does not have yet the status of international instrument but that should be mentioned in this report is the Principles relating to the status of national institutions (so renamed by the Commission on Human Rights in its resolution 1992/45). These were elaborated by the first International Workshop on National Institutions for the Promotion and Protection of Human Rights, held in Paris from 7 to 9 October 1991. The Workshop was organized by the United Nations Centre for Human Rights in cooperation with the French National Consultative Commission on Human Rights under the Programme of Advisory Services in the Field of Human Rights implemented by the Centre. It was held pursuant to General Assembly resolution 44/64 of 8 December 1989 and resolutions 1990/73 and 1991/27 of the Commission on Human Rights. These draft Principles contain a set of guidelines on the structure and role of national institutions, which the Commission endorsed at its forty-eighth session, and provides States with a frame of reference for the development or reform of their own infrastructure for promoting and protecting human rights. By its resolution 1993/45, the Commission decided to transmit the Principles through the Economic and Social Council to the General Assembly for adoption.

New studies, reports and working papers

62. A number of new studies, reports and working papers have been requested by the Subcommission during the five-year period covered by this report. In 1988, the Subcommission entrusted several international human rights experts with the preparation of studies or reports on the following topics:

(a) Violations of the human rights of staff members of the United Nations system and their families;

(b) An international instrument on freedom of religion and belief;

(c) Treaties, agreements, and other constructive agreements concluded between indigenous peoples and States in all parts of the world;

(d) Recent developments with regard to traditional practices affecting the health of women and children.

63. In 1989, the Subcommission mandated studies on:

(a) The right to a fair trial;

(b) Human rights of detained juveniles;

(c) The interrelationship between peace and human rights;

(d) The privatization of prisons;

(e) The right to restitution, compensation and rehabilitation for victims of gross violations of human rights and fundamental freedoms;

(f) The right to freedom of expression and opinion;

(g) Discrimination against HIV-infected people or people with AIDS;

(h) Possible ways and means of facilitating the peaceful solution of problems involving minorities.

64. In 1990, the following new studies were requested:

(a) Human rights and the environment;

(b) Strengthening the independence of the judiciary and the protection of practising lawyers;

(c) Ownership in control of the cultural property of indigenous people;

(d) Human rights and extreme poverty.

65. In 1991, the new studies mandated by the Subcommission included:

(a) Measures to strengthen respect for the cultural property of indigenous people;

(b) The impunity of perpetrators of violations of human rights;

(c) The right to adequate housing.

66. In 1992, the Subcommission requested the preparation of studies or reports on the following subjects:

(a) The transition to democracy in South Africa;

(b) The human rights dimensions of population transfer;

(c) Peace and security as an essential condition for enjoyment of human rights.

67. In 1993, the Subcommission requested the preparation of studies and reports on the following topics:

(a) Recognition of gross and large-scale violations as an international crime;

(b) Human rights and income distribution;

(c) Draft principles and guidelines for the protection of the heritage of the indigenous peoples;

(d) The exploitation of child labour and debt bondage;

(e) Systematic rape, sexual slavery and slavery-like practices during wartime, including in particular internal armed conflict;

(f) Programme for the prevention of discrimination and protection of minorities;

(g) Question of the implication for human rights of United Nations actions, including the humanitarian assistance in addressing international humanitarian problems and in the promotion and protection of human rights.

68. The above list of topics includes only new studies and reports requested by the Subcommission in each of the years indicated. However, during the same period, many other studies previously requested by the Subcommission were continued or completed.

III. DEVELOPMENT OF HUMAN RIGHTS INSTITUTIONS AND INFRASTRUCTURES THROUGH THE PROVISION OF ADVISORY SERVICES IN THE FIELD OF HUMAN RIGHTS

69. The United Nations programme of advisory services in the field of human rights was established pursuant to General Assembly resolution 926 (X) of 14 December 1955, which, inter alia, authorized the Secretary-General to make provision at the request of Governments and with the cooperation of the specialized agencies, where appropriate, for the following forms of assistance with respect to the field of human rights:

(a) Advisory services of experts;

(b) Fellowships and scholarships; and

(c) Seminars.

Regional and national training courses were added in 1976 and 1986 respectively.

70. All these forms of assistance aim at:

(a) Furthering knowledge and understanding of international human rights standards and their normative content, with a view to promoting their widest application;

(b) Facilitating the implementation of international human rights; and

(c) Providing technical assistance to Governments in the establishment and development of national infrastructures for the promotion and protection of internationally recognized human rights norms.

71. The Voluntary Fund for Advisory Services and Technical Assistance in the Field of Human Rights was established by the Secretary-General on 16 November 1987 pursuant to resolution 1987/38 of the Commission on Human Rights and decision 1987/147 of the Economic and Social Council, with the objective of providing additional financial support for practical activities for the implementation of international conventions and other international instruments on human rights promulgated by the United Nations, its specialized agencies and regional organizations.

72. On the basis of the relevant resolutions of the Commission on Human Rights, practical activities to be financed by the Voluntary Fund include:

(a) Support for international cooperation aiming at building up and strengthening national and regional institutions and infrastructures that will have a long-term impact on improved implementation of international conventions and other international instruments on human rights promulgated by the United Nations, the specialized agencies or regional organizations (resolution 1992/80, para. 16);

(b) Expert and technical assistance to Governments with a view to creating and developing the necessary infrastructures to meet international human rights standards (resolution 1990/59, para. 5);

(c) Projects and programmes that can play a catalytic role in the practical realization of internationally recognized human rights standards (resolution 1990/59, para. 7);

(d) Projects for legal protection and the strengthening of the independence of the judiciary (resolution 1992/80, para. 23).

During the period 1988-1993, the Centre continued to implement all the components of the programme outlined above.

73. Recently, a comprehensive review of the programme has brought about a shift in the working methods for its implementation. Under the new approach, the Centre will respond to a Government's request by conducting a careful assessment of that country's particular human rights assistance needs. Assistance programmes are then to be designed to address those needs in a comprehensive and coordinated way. Specific programme elements are to be financed and administered either by the most competent international agencies or organizations, or on a bilateral basis. The Centre for Human Rights will implement directly those projects for which it has a unique or specific competence, drawing on the considerable expertise developed by its staff in those areas, and serve as a focal point and coordinator for other programme elements relating to the human rights needs of the country involved.

74. Most recently, in its resolution 1993/85, the Commission requested the Secretary-General to evaluate the needs of the Government of Georgia for support and technical assistance. Advisory services for that country are aimed at furthering legislation in constitutional and institutional matters and at providing national and local institutions with the necessary expertise to implement international standards in the field of human rights, including the rights of persons belonging to minorities, in close contact with the Government and the citizens of Georgia.

75. The Vienna Declaration and Programme of Action emphasized the importance of measures aiming at assisting in the strengthening and building of institutions relating to human rights and in the conduct of free and fair elections. It also stressed the importance of assisting Governments in strengthening the rule of law, the promotion of freedom of expression and the administration of justice, and the real and effective participation of the people in the decision-making process.

76. In addition, the Declaration emphasized the need for the implementation of strengthened advisory services and technical assistance activities by the Centre for Human Rights. Strengthening the institutions of human rights and democracy, the legal protection of human rights, training of officials and others, broad-based education and public information programmes aimed at promoting respect for human rights should be available as components of these programmes.

A. Electoral assistance

77. The Centre for Human Rights, through the programme of advisory services and technical assistance, has provided electoral assistance to a number of countries

25. In 1992, the Commission decided, by its resolution 1992/77, to appoint a Special Rapporteur with a mandate to prepare a report on the situation of human rights in Haiti. It should be noted that in 1991, the Commission, by its resolution 1991/77, had appointed an independent expert under Advisory Services to examine developments in the human rights situation in Haiti and to help devise measures to make the necessary improvements.

26. In 1992, by its resolution 1992/58, the Commission decided to nominate a Special Rapporteur to establish direct contacts with the Government and the people of Myanmar, including political leaders deprived of their liberty, their families and their lawyers, with a view to examining the situation of human rights in that country and following any progress towards the transfer of power to a civilian government and the drafting of a new constitution, the lifting of restrictions on personal freedoms and the restoration of human rights in Myanmar.

27. At its first special session held on 13 and 14 August 1992 according to the procedure established by Economic and Social Council resolution 1990/48, the Commission adopted resolution 1992/S-1/1 entitled "The situation of human rights in the territory of the former Yugoslavia", in which it decided to appoint a Special Rapporteur to: (a) investigate first hand the human rights situation in the territory of the former Yugoslavia, in particular within Bosnia and Herzegovina; and (b) gather and compile systematically information on possible violations of human rights in the territory of the former Yugoslavia, including those that might constitute war crimes, and to make this information available to the Secretary-General.

28. The Special Rapporteur was requested to visit areas of interest in the former Yugoslavia and to present a preliminary report on an urgent basis to the members of the Commission within two weeks, including recommendations for bringing violations to an end and preventing future violations. He was also requested to report his findings and recommendations to the Commission periodically until the Commission's subsequent regular session and to report to the General Assembly as well. The Commission further requested the Secretary-General to make the reports available to the Security Council.

29. A second special session was held on 30 November and 1 December 1992 to consider the report of this Special Rapporteur. At the time this report was prepared, the Special Rapporteur, whose mandate was extended by one year by the Commission at its forty-ninth session (resolution 1993/7), had presented seven reports. On the recommendation of the Special Rapporteur, the General Assembly, by its resolution 47/147 of 18 December 1992, requested the Secretary-General to make available all the resources necessary for the Special Rapporteur to carry out his mandate and, in particular, to provide him with sufficient staff based in the territories of the former Yugoslavia to ensure effective continuous monitoring of the human rights situation there and coordination with other United Nations bodies involved, including the United Nations Protection Force. Pursuant to this resolution, four officers had been deployed to Zagreb at the time this report was prepared.

30. In 1993, the Commission decided to appoint a Special Rapporteur to make a thorough study of the violations of human rights by the Government of Equatorial Guinea on the basis of all the information that he considered relevant,

including information furnished by intergovernmental and non-governmental organizations and by private individuals and, in particular, any documentation provided by the Government of Equatorial Guinea. His report is to be submitted to the Commission.

3. Advisory services

31. In 1993, by its resolution 1993/86, the Commission requested the Secretary-General to appoint for a period of one year a person having wide experience in the field of human rights as an independent expert to assist the Special Representative of the Secretary-General for Somalia through the development of a long-term programme of advisory services for re-establishing human rights and the rule of law, including a democratic constitution, as well as the eventual holding of periodic and genuine elections by universal suffrage and secret ballot.

32. By its resolution 1993/6, the Commission also requested the Secretary-General to ensure a continued United Nations human rights presence in Cambodia after the expiry of the mandate of the United Nations Transitional Authority in Cambodia and to appoint a Special Representative to guide and coordinate that presence, as well as to maintain contact with the Government and people of Cambodia and to assist the Government in the promotion and protection of human rights. He is to report to the General Assembly and to the Commission on Human Rights on these matters.

4. Working Group on the Right to Development

33. In 1993, by its resolution 1993/22, the Commission decided to establish, initially for a three-year period, a Working Group on the right to development, composed of 15 experts nominated by Governments to be appointed by the Chairman of the Commission on Human Rights on the basis of equitable geographical representation and in consultation with the regional groups in the Commission. The Working Group has the following mandate: (a) to identify obstacles to the implementation and realization of the Declaration on the Right to Development, on the basis of information furnished by Member States and other appropriate sources; and (b) to recommend ways and means for the realization of the right to development by all States. The Working Group will submit to the Commission at its fiftieth session a report on the obstacles affecting the implementation of the Declaration on the Right to Development and continue to report yearly to the Commission.

B. New mechanisms entrusted to existing bodies

34. On 25 May 1990, the Economic and Social Council adopted resolution 1990/48, in which it authorized the Commission on Human Rights to meet exceptionally between its regular sessions, provided that a majority of States members of the Commission so agreed. When this report was prepared, the Commission had resorted to the new procedure on two occasions: in August 1992 and November 1992, to examine the situation of human rights in the territory of the former Yugoslavia (see paras. 27 and 29 above).

and in a variety of contexts since 1990. Such assistance was provided to Romania in 1990, and to Albania in 1991.

78. The Centre continued and enhanced its activities in the area of electoral assistance in 1992. Cooperating with the new Electoral Assistance Unit established by the General Assembly in its resolution 46/137 of 17 December 1991, the Centre provided such assistance to six countries in eastern Europe, Africa, and Asia at the request of their Governments. These were Angola, Cambodia, Eritrea, Lesotho, Malawi and Romania (for the 1993 elections).

79. In 1992 and 1993, the Centre's activities in the area of electoral assistance included:

(a) The provision of advisory services and technical assistance in the legal, technical, and human rights aspects of democratic elections;

(b) The drafting of a handbook on the legal, technical and human rights aspects of elections;

(c) Training of electoral and other public officials involved in elections;

(d) Assistance to civic education endeavour;

(e) Legal and procedural analysis of electoral and related legislation (including consideration of the impact of nationality, emergency and security laws); and

(f) Analysis and recommendations with regard to the prevailing human rights atmosphere, with special emphasis on those rights seen as prerequisites for free and fair elections, including freedom of expression, assembly, association, opinion, information, non-discrimination, and freedom from intimidation.

B. Constitutional and legal assistance

80. Pursuant to the directives of the General Assembly and the Commission, the Centre continued to provide assistance to Governments in the drafting of national constitutions and legislation. Most recently, the Commission on Human Rights, in its resolutions 1991/50 and 1992/58, recommended to the Secretary-General that the provision of expert assistance to Governments in their efforts to meet international human rights standards should continue to increase.

81. During the period 1988-1992, the Centre provided assistance for the inclusion of human rights norms in national constitutions to Bulgaria, Mongolia, Paraguay, Romania, and South Africa:

(a) A conference on the theme of human rights in constitutional and legal developments was held in Bulgaria in 1991;

(b) In 1990 and 1991, to assist the Mongolian authorities in the drafting of a new national Constitution, the Centre for Human Rights organized a programme of cooperation with the Government, during which a mission of experts provided advisory services on issues relating to human rights in constitutional law;

(c) At the request of the Government of Romania, the Centre provided advisory services and technical assistance in connection with the drafting of the new national constitution through the organization of a seminar in December 1990 and a mission to that country in February 1991;

(d) In 1991 in cooperation with the World Council of Churches, the Centre organized a seminar on international human rights standards and constitutional law. The seminar brought together specialists from South Africa involved in the preparations for the drafting of the new constitution with international experts to explore how international human rights standards could be expressed in constitutional law;

(e) In November 1991, the Centre organized in Paraguay, in cooperation with the United Nations Development Programme and the Department of Human Rights of the Ministry of Foreign Affairs of that country, an international symposium on a comparison of constitutional reforms.

82. In addition, from 1988 through 1992, the Centre provided the services of experts to more than 40 Member States involved in the process of democratization and the introduction of legislative changes in the Americas, the Caribbean, Africa, Asia, and Western and Eastern Europe. Further, in 1993, legal assistance was extended to Belarus and the Russian Federation. Finally, as indicated in paragraphs 75-77 above, the Centre provided expert assistance also regarding the legal and technical aspects of democratic elections, the establishment and strengthening of national infrastructures for the protection and promotion of human rights and the establishment of national institutions for the promotion and protection of human rights, including national human rights commissions and ombudsmen.

C. Training courses and seminars

83. The Centre continued to provide assistance in the establishment of independent national judiciaries, and training for national officials involved in the administration of justice, such as judges, lawyers, police, and prison and military officials. Training materials directed to a variety of such professional groups are currently being produced by the Centre, in order to broaden the dissemination of the principles covered by the courses themselves.

84. Other ongoing activities focus on curriculum development and teacher training to assist Governments in their efforts to build a culture of human rights beginning with the youngest members of society. State officials, including those responsible for the drafting of periodic reports to the various United Nations treaty bodies, also receive training from the Centre. Finally, support and training is provided to national non-governmental organizations to strengthen civil society.

85. The Centre has adopted a new approach to teaching and training activities under the advisory services programme. Courses are now designed for the particular audience addressed, so that human rights principles are integrated into syllabi relevant to the work and responsibilities of the target group rather than presented abstractly from the point of view of international instruments. The principles are discussed in conjunction with ways of carrying out responsibilities, while respecting international norms. This has meant revising the curricula, identifying experts familiar with international norms and the concerns of the occupational or age group involved, and drafting new teaching materials.

86. Altogether, from 1988 to 1992, the Centre for Human Rights organized, in cooperation with national institutions and Governments, nine seminars, 16 workshops, four conferences, two meetings of experts and 26 training courses for government officials, international legal and human rights experts, representatives of national institutions, non-governmental organizations, law enforcement officials, librarians, electoral officers, political party members, lawyers, judges, professors, students, researchers, and journalists. These courses were given in Africa (10), Western (16) and Eastern Europe (6), Asia (7), the Middle East (2), North America (1) and Latin America (12). The subjects of these courses included: constitutional and statutory development; traditional practices affecting the health of women and children; preparation of reports to United Nations human rights treaty bodies; indigenous self-government; national human rights institutions; the techniques of transmitting human rights information; free and fair elections; human rights in a democratic society; de facto racial discrimination; international protection of human rights; international human rights standards and the administration of justice; the teaching of human rights; international human rights standards and constitutional law; the implementation of United Nations mechanisms in the field of human rights; international human rights standards and national legislation; human rights, democracy and economic and social development; human rights in Africa; the implementation of international human rights instruments and the administration of justice; the fortieth anniversary of the Universal Declaration on Human Rights; the cultural dialogue between the countries of origin and the host countries of migrant workers; and the situation of human rights in specific countries. The Centre also collaborated in the organization of more than 100 seminars, workshops and meetings convened by national and regional institutions, academic and research institutions and non-governmental organizations in different parts of the world.

D. Fellowship programme

87. To enable States to develop the infrastructures necessary to meet international human rights standards, the Centre for Human Rights administers a fellowship programme for those professionals who are directly involved at the national level in functions affecting human rights, particularly in the administration of justice. In the selection of participants, particular attention is paid to ensuring both equitable geographic representation and equitable participation by women. Participants in the programme come from Africa, Asia, Latin America, Eastern and Western Europe. In 1988, the Centre received 62 nominations from 43 countries; 24 candidates were selected for participation. In 1989, 65 nominations were received from 45 Governments and 29

fellowships were awarded. In 1990, 53 Governments proposed 85 candidates for the programme. Again, 29 fellowships were awarded. In 1991, 63 Governments proposed 92 candidates. Due to the increased number of requests, the number of participants was increased to 41. In 1992, 62 Governments nominated 116 candidates, of whom 45 were selected.

E. Field presence

88. Long-term assistance to countries undergoing a transition to democracy, especially in the establishment of solid national infrastructures for the promotion and protection of human rights, can be significantly assisted through a United Nations human rights field presence. In 1992, a field officer of the Centre for Human Rights was deployed to Guatemala to provide support to the independent expert responsible for examining the situation of human rights in Guatemala and provide assistance to the Government in the field of human rights.

89. As indicated in paragraph 32 above, in its resolution 1993/6, the Commission on Human Rights requested the Secretary-General to establish an operational presence of the Centre for Human Rights in Cambodia. The office mandate is to manage the implementation of educational and technical assistance and advisory services programmes and ensure their continuation; to assist the Government of Cambodia established after the election, at its request, in meeting its obligations under the human rights instruments to which it has recently acceded, including the preparation of reports to the relevant monitoring committees; to provide support to bona fide human rights groups in Cambodia; contribute to the creation and/or strengthening of national institutions for the promotion and protection of human rights; and to continue to assist with the drafting and implementation of legislation to promote and protect human rights. Pursuant to this resolution, the Centre established its office in Cambodia on 1 October 1993.

F. Inter-agency cooperation

90. To avoid duplication and improve efficiency in the use of limited available resources, the Centre for Human Rights actively pursues coordination with other United Nations organs, specialized agencies and other intergovernmental organizations. Every year, the Centre convenes an inter-agency meeting on human rights issues to review joint programmes and to exchange information on a number of ongoing activities. These meetings are usually attended by representatives of the United Nations Institute for Training and Research (UNITAR), the United Nations Development Programme (UNDP), the United Nations Children's Fund (UNICEF), the United Nations Educational, Scientific and Cultural Organization (UNESCO), the International Labour Organization (ILO), the United Nations Interregional Crime and Justice Research Institute (UNICRI), the Office of the United Nations High Commissioner for Refugees (UNHCR), the International Committee of the Red Cross (ICRC), the United Nations Department for Humanitarian Affairs, the Division for the Advancement of Women of the United Nations Department for Policy Coordination and Sustainable Development, the United Nations Department for Economic and Social Information and Policy Analysis, and many international and regional organizations, both within and outside the United Nations system.

91. Further inter-agency cooperation is reflected in the new approach to technical assistance of the Centre for Human Rights. As indicated in paragraph 73 above, the Centre conducts needs assessment missions to identify the overall needs of the Government that requests assistance in the field of human rights. While some needs are addressed directly by the Centre, other agencies and bodies are encouraged to undertake other programme elements within their competence. The Centre acts as a focal point for coordination of all the elements identified by the mission.

IV. ACTIVITIES IN THE AREA OF PUBLIC INFORMATION

92. On the occasion of the fortieth anniversary of the adoption of the Universal Declaration on Human Rights, the General Assembly, by its resolution 43/128 of 8 December 1988, decided to launch the World Public Information Campaign for Human Rights to increase awareness and understanding of human rights and fundamental freedoms and to educate the public on international human rights machinery and the efforts of the United Nations to promote and protect human rights.

93. Since then, the Campaign has been on the agenda of the Commission on Human Rights. Most recently, in its resolution 1993/49, entitled "Development of public information activities in the field of human rights, including the World Public Information Campaign for Human Rights", the Commission reaffirmed that activities to improve public knowledge in the field of human rights were essential to the fulfilment of the purposes of the United Nations set out in Article 1, paragraph 3 of the Charter and that carefully designed programmes of teaching, education and information were essential to the achievement of lasting respect for human rights and fundamental freedoms. It also affirmed that a World Public Information Campaign for Human Rights was a valuable complement to the activities of the United Nations aimed at the further promotion and protection of human rights world wide.

94. Placing the Campaign in an even broader context, the World Conference on Human Rights affirmed that human rights education, training and public information were essential to the promotion and achievement of stable and harmonious relations among communities and to fostering mutual understanding, tolerance and peace.

95. In keeping with the objectives set forth in the resolutions of both the General Assembly and the Commission on Human Rights, the United Nations Department of Public Information is developing its information and education programme, since information leading to awareness and knowledge of fundamental rights and freedoms represents an essential element of the universal realization of the standards already set in the field of human rights.

A. Publications programme

96. The development of printed materials on human rights is one of the main activities of the information programme of the Centre for Human Rights. These materials are distributed to national and regional human rights institutions,

academic and research institutions, the media, non-governmental organizations and concerned individuals.

97. The Centre has recently undertaken a thorough and comprehensive revision of its information programme, both reviewing and renewing its overall information strategy as to policy, goals, target readerships and methods of work. Each of the major series of publications produced by the Centre is being analysed according to the criteria of utility, fulfilment of its original objective, suitability of its present format and efficiency in its production. It is expected that significant changes will be introduced in respect of several publications to maximize their reach and effectiveness. The Centre is also studying ways to improve the current methods of disseminating information on human rights, in terms of efficiency, promptness and responsiveness to the needs and expectations of the public.

1. Information materials

98. The Fact Sheets series consists of booklets for a non-specialized readerships that deal with specific topics, as well as with different aspects of United Nations activity in the field, including the international mechanisms for the protection of human rights. The Fact Sheets are translated into six official United Nations languages and distributed world wide free of charge. Owing to the increased demand, several Fact Sheets have been reprinted. Since 1988, the Centre has published 20 Fact Sheets.

99. The Human Rights Study series reproduces studies and reports prepared by Special Rapporteurs on important human rights issues that have been mandated by various human rights bodies, such as the Commission on Human Rights or the Subcommission on Prevention of Discrimination and Protection of Minorities. Six issues have been published so far in this series; each is available in the six official United Nations languages. Studies on the right to development and the exploitation of children are being prepared.

100. Sixteen ad hoc publications have also been published since 1988. They include largely reports of seminars or workshops organized by the Centre.

101. A commentary on the Convention on the Rights of the Child is being prepared in cooperation with UNICEF. The legislative history of the Convention on the Rights of the Child is also being prepared for publication in collaboration with Radda Barnen International, a Swedish non-governmental organization.

102. Five issues of the Bulletin of Human Rights have been issued, in English and French, by the Centre since 1988. They contain articles on human rights topics by leading government and academic experts. The Centre has currently suspended publication of the Bulletin, which will probably be replaced by a scholarly publication focusing on the United Nations system for the promotion and protection of human rights and containing contributions from academic experts and United Nations staff members. The revision under way aims at overcoming some problems encountered in the past in the production of the Bulletin and improving its overall quality.

103. The Human Rights Newsletter began in 1988 and appeared quarterly in English and French until July 1992. It contained articles on the activities of the United Nations bodies dealing with human rights, including the Centre for Human Rights; interviews with experts in the field of human rights; information on training courses, seminars, workshops and other meetings organized by the United Nations; and information on the activities of non-governmental organizations dealing with human rights. After a first evaluation by the Centre, the Newsletter has been discontinued until a more careful revision of its role and contents can be made and adequate staff can be assigned for its production.

104. The Centre is devoting considerable efforts to the elaboration of teaching materials at all levels. ABC teaching of human rights, issued in 1989 and available in all six official languages, is being reprinted in order to respond to an increasing number of requests from teachers' organizations, educational institutions and international organizations. The Centre has also issued a teaching manual on human rights, Teaching and learning about human rights: a manual for schools of social work and the social work profession as part of a new series of publications. Two manuals, the first on free and fair elections and the second on international standards on pre-trial detention (the latter drafted in cooperation with the Crime Prevention and Criminal Justice Branch) are also being published. Three more manuals are being developed on the following subjects: human rights for law enforcement officials; national institutions for the protection and promotion of human rights; and human rights in the administration of justice.

105. The Centre contributed to the preparation of general United Nations publications, such as the United Nations Yearbook and Everyone's United Nations.

106. The Centre for Human Rights, in cooperation with the Department of Public Information has been coordinating the translation and authentication of regional and local language versions of the Universal Declaration of Human Rights. The Centre is now reviewing the translations project with a view to increasing both the range of instruments translated and the number of language versions produced. To this end, it is formulating a strategy in relation to the three instruments that compose the International Bill of Human Rights, aimed at identifying the language versions that currently exist and those that remain to be produced.

2. Reference material

107. The reference publications of the Centre for Human Rights are addressed to a more specialized audience. They are also sales publications, and are as follows:

(a) United Nations action in the field of human rights. This publication, which appears every five years, is the standard United Nations reference work in the field of human rights. The last issue, covering the period from 1945 to 1988, is available in English and Spanish. The French version is being printed. An updated version was prepared in June 1993 in view of the World Conference on Human Rights.

(b) Human Rights: a compilation of international instruments. This publication contains the basic international instruments in the field of human rights. In accordance with General Assembly resolution 46/116 of 17 December 1991 on the World Conference, the 1993 version will consist of two volumes, the first devoted to universal instruments and the second to regional instruments. The first volume of the compilation has been published in English; the other five language versions, as well as the second volume, are being printed.

(c) Human Rights: status of international instruments in the field of human rights. This publication contains detailed information including ratification, reservations, objections and declarations in relation to the human rights instruments contained in the Compilation. An updated version is being prepared. A chart showing ratification status appears every six months.

(d) The Yearbook on human rights. This publication contains information on international developments in the field of human rights, including activities undertaken by the United Nations and its specialized agencies, as well as the activities of the various human rights bodies outside the United Nations system. The Yearbook also surveys national developments in the field of human rights and includes information on trust and non-self-governing territories. The volumes concerning 1980 to 1988 are currently available in English. The volume for 1989 is being finalized. The Yearbook is also being thoroughly revised by the Centre and it is expected that the next editions will significantly differ from the previous ones as to both content and structure.

(e) Official Records of the Human Rights Committee (formerly United Nations Yearbook of the Human Rights Committee). The 1981-1982 edition of the Yearbook of the Human Rights Committee is available in English and French. The 1983-1984 edition is being issued in English; the French version is being prepared. The 1985-1986 and 1987-1988 editions are being printed.

(f) Human Rights Committee: selected decisions under the Optional Protocol: Volume 1 - 1977/1982 (second to sixteenth session) is available in English, French and Spanish. Volume 2 - 1982/1988 (seventeenth to thirty-second session) is available in English; the Spanish version is being printed. The Arabic, Chinese, French and Russian versions are being prepared.

B. Inter-agency cooperation

108. On several occasions, the Commission on Human Rights has requested the Centre to coordinate activities of the World Public Information Campaign for Human Rights within the United Nations system, and to maintain liaison with Governments, regional and national institutions and individuals concerned in the development and implementation of those activities. It has also emphasized the need for the United Nations to harmonize its public information activities in the field of human rights with those of other organizations, such as ICRC, UNHCR and UNESCO in their respective fields of competence.

109. As part of its ongoing efforts to coordinate its activities with those of other United Nations bodies and in keeping with the above-mentioned resolution, the Centre for Human Rights convenes each year in Geneva an inter-agency meeting

on human rights issues (see para. 89 above). These meetings allow participants to review joint projects and to exchange information on a number of ongoing activities in the field of human rights carried out by the respective organizations. They also provide an opportunity for identifying further forms of cooperation. Information, documentation and education in the field of human rights is one of the items on the agenda of each of these meetings.

110. In implementing its publications programme, the Centre cooperates with other agencies and organizations within the United Nations system, as well as non-governmental organizations. Examples of this cooperation are the manuals on human rights for law enforcement officials and judges and lawyers and the manual on pre-trial detention, prepared in cooperation with the Crime Prevention and Criminal Justice Branch; the Fact Sheets on discrimination against women, being prepared in cooperation with the Division for the Advancement of Women.

C. Briefings, exhibits and human rights observances

111. As part of the World Public Information Campaign for Human Rights, the Centre organizes more than 100 briefings on United Nations activities in the field of human rights issues each year for students, diplomats, journalists, public officials, teachers, academics and non-governmental organizations. In 1988, the Centre cooperated with the British Broadcasting Corporation in the realization of a documentary film on the occasion of the fortieth anniversary of the Universal Declaration on Human Rights. The Centre also provides lecturers for the briefings organized by the Department of Public Information.

112. During 1988, a number of activities were organized with the Department of Public Information to commemorate the fortieth anniversary of the Universal Declaration on Human Rights. At that time, a Human Rights exhibit was offered, displaying all human rights materials. During 1990, the Centre organized three exhibits: one on the art of aboriginal Australia; the second on Auschwitz; and the third on crimes against mankind. A number of exhibitions are regularly sponsored by the Centre for Human Rights, especially in connection with human rights events such as meetings of the Commission on Human Rights and the Subcommission on Prevention of Discrimination and Protection of Minorities.

113. Official commemorations are organized by the Department of Public Information and the Centre for Human Rights each year in New York and at Geneva, as well as at United Nations information centres and other information services throughout the world. In 1988, a special programme of activities was organized for the observance of the fortieth anniversary of the Universal Declaration on Human Rights. These activities included daily seminars, film screenings and other audio-visual displays, exhibits and the production of commemorative material. During the same year, a commemorative session of the General Assembly took place. During this session, the Human Rights awards were granted to six individuals for their outstanding contributions in the field of human rights. A similar ceremony is being organized for 1993. A celebration of Human Rights Day, 10 December, takes place every year at the Palais des Nations in Geneva.

V. ENHANCING NATIONAL AND EXISTING REGIONAL INSTITUTIONS FOR THE PROMOTION OF HUMAN RIGHTS

A. Regional arrangements for the promotion and protection of human rights

114. The Centre for Human Rights, taking into consideration the directives of the General Assembly and the Commission on Human Rights that regional arrangements for the promotion and protection of human rights should contribute to the effective enjoyment of human rights and fundamental freedoms, has continued to pursue and strengthen its contacts and cooperation with the established regional organizations in the field of human rights, namely, the African Commission on Human and Peoples' Rights of the Organization of African Unity (OAU); the Inter-American Commission and Court on Human Rights of the Organization of American States (OAS); and the European Commission and Court of Human Rights (ECE) with a view to exchanging information and experiences in the field of human rights. The Centre for Human Rights has also continued to collaborate with other regional institutions and organizations, including the Commonwealth Secretariat Human Rights Unit; the International Institute of Human Rights at Strasbourg, France; the Institute of Humanitarian Law at San Remo, Italy; the Inter-American Institute of Human Rights at San Jose, Costa Rica; the Andean Commission of Jurists at Lima, Peru; the African Centre for Democracy and Human Rights Studies at Banjul, the Gambia; the Arab Institute for Human Rights at Tunis, Tunisia; the Institute Henri Dunant at Geneva, Switzerland; and the Raoul Wallenberg Institute of the University of Lund, Sweden.

115. Information is exchanged on a regular basis between the United Nations and the regional organizations regarding the status of ratification of human rights instruments developed under each system. Following a recommendation of the Preparatory Committee for the World Conference on Human Rights at its first session, the updated versions of two publications of the Centre for Human Rights - Human Rights: a compilation of international instruments and Human Rights: status of international instruments - now include the texts of regional human rights instruments. This task was facilitated by close collaboration between the Centre and the regional organizations concerned.

116. The Centre for Human Rights has continued to pursue and strengthen, through its advisory services and technical assistance activities, the promotion of human rights in various regions of the world in order to promote an exchange of information and experience in the field. These activities are described in detail in the report of the Secretary-General to the Commission on Human Rights on advisory services in the field of human rights. 6/ Other activities of the Centre for Human Rights in the area of regional arrangements were described in the report of the Secretary-General to the General Assembly in accordance with paragraph 10 of General Assembly resolution 45/167 of 18 December 1990 (A/47/502).

117. In accordance with requests of the Commission on Human Rights, the Centre for Human Rights has devoted particular attention to the question of regional arrangements for the promotion and protection of human rights in the Asia-Pacific region. Close contact has been established and maintained with all States of that region, as well as the Economic and Social Commission for Asia and the Pacific (ESCAP) in order to promote the development of a regional human

rights arrangement. Also in response to requests from the Commission on Human Rights, the Centre for Human Rights has consolidated this cooperation through its programme of advisory services and technical assistance by organizing a number of activities, including seminars, training courses and workshops at both the national and regional levels for Asian-Pacific countries. Details on these activities may be found in the report mentioned above to the Commission on Human Rights 7/ as well as in the Secretary-General's report to the Commission on Human Rights on Regional Arrangements for the Promotion and Protection of Human Rights for the Asia and Pacific Region. 8/

B. National institutions for the promotion and protection of human rights

118. The subject of national institutions for the protection and promotion of human rights has been dealt with since 1979 in several resolutions of the General Assembly and the Commission on Human Rights. In accordance with directives from these bodies, the Centre for Human Rights has been engaged for a number of years in collecting information on the structure and functioning of national institutions that are involved in promoting and protecting human rights. In 1991, the Centre for Human Rights organized an International Workshop on National Institutions for the Promotion and Protection of Human Rights, which was held in Paris from 7 to 9 October. A full report of the Workshop is contained in a report of the Secretary-General to the Commission on Human Rights. 9/ The principal result of the Workshop was a set of guidelines on the structure and role of national institutions that provides States with a frame of reference for the development or reform of their own infrastructure for promoting and protecting human rights. These principles were endorsed by the Commission on Human Rights at its forty-eighth session. Subsequent efforts of the Centre for Human Rights to disseminate these principles are documented in a report of the Secretary-General to the Commission on Human Rights.

119. As its role has been defined by the Commission on Human Rights, a central objective of the advisory services and technical assistance programme of the Centre for Human Rights is to consolidate and strengthen further the role that national institutions can play in the protection and promotion of human rights. Assistance to national institutions under the Advisory Services and Technical Assistance Programme takes several different forms. Firstly, the Centre offers its services to Governments that are considering or are in the process of establishing a national human rights institution. Assistance in such cases may be financial or may involve provision of the services of an expert to advise governmental authorities on suitable models and the transmission of technical information and comparative legislation to facilitate the task of legislative drafting. If a national institution has already been established, the Centre is able to offer similar forms of assistance to strengthen the institution and enhance its capacity to play a central role in human rights protection and promotion.

120. Increasingly, the Centre is attempting to utilize the services of existing national institutions in the implementation of its country programmes. In this context, the national institution may cooperate with the Centre in organizing training courses and seminars, translating human rights instruments or coordinating the work of national non-governmental organizations. This approach

offers distinct benefits to both sides. A national institution can be an important facilitator for the Centre in its work and is often in a position to provide crucial administrative, technical and substantive support. The institution can be strengthened internally through its cooperative work with the Centre and gain much needed support from both within and outside the Government.

121. Other activities of the Advisory Services and Technical Assistance Programme related to national institutions are not oriented towards a particular country or institution, but instead are aimed at promoting the concept of national human rights institutions and encouraging their development on a widespread basis. To this end, the Centre has produced information materials and is currently developing a practical manual for those involved in the establishment and administration of national institutions. The Centre has also conducted a number of seminars and workshops to provide government officials with both information and expertise in the structure and functioning of such bodies. These events have also served as useful forums within which to promote the exchange of information and experience concerning the establishment and operation of national institutions.

122. The World Conference on Human Rights recommended the strengthening of United Nations activities and programmes to meet requests for assistance by States that wish to establish or strengthen their own national institutions for the promotion and protection of human rights. It also encouraged the strengthening of cooperation between national institutions for the promotion and protection of human rights and recommended that representatives of these institutions convene periodic meetings under the auspices of the Centre for Human Rights to examine ways and means of improving their mechanisms and sharing experiences.

123. Additional information on specific projects for national institutions undertaken both within and outside the framework of the programme of Advisory Services and Technical Assistance of the Centre for Human Rights may be found in the report of the Secretary-General to the General Assembly on national institutions for the promotion and protection of human rights prepared in accordance with General Assembly resolution 46/124 of 17 December 1991 (A/48/340).

Notes

1/ E/CN.4/1991/20.

2/ E/CN.4/1992/13.

3/ E/CN.4/1990/39.

4/ See resolutions 1991/20, 1992/15 and 1993/16 of the Commission on Human Rights.

5/ A/CONF.157/9.

6/ E/CN.4/1993/61.

7/ Ibid.

8/ E/CN.4/1993/32.

9/ E/CN.4/1993/33.